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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 CASSIE CORDELL TRUEBLOOD, et
al.,

11 Plaintiffs,

12 v.

13 WASHINGTON STATE
14 DEPARTMENT OF SOCIAL AND
HEALTH SERVICES, et al.,

15 Defendants.
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CASE NO. C14-1178 MJP

ORDER ON REQUEST FOR
ADDITIONAL CLARIFICATION
AND GUIDANCE

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18 In response to Defendants' Request for Additional Clarification and Guidance from the
19 Court (Dkt. No. 397), and having considered Plaintiffs' Response (Dkt. No. 402) and consulted
20 with the parties at the April 18, 2017 status hearing, the Court issues the following additional
21 clarification and guidance:

22 Defendants are ordered to prepare (1) a "step-down plan" outlining their proposal to
23 create, either in the state hospitals or other suitably therapeutic environment, bed space for class
24 members outside of the Yakima and Maple Lane facilities; and (2) a time table for the transfer of

1 the class members staged to begin upon the notification of the outcome of the federal site
2 evaluation (e.g., “Notification + 10 days: Transfer of class members begins”). If the outcome of
3 the federal site evaluation is a continuation of the review process, Defendants will produce
4 documentation that moving class members into the hospitals would violate the requirements of
5 the continued review process. Defendants’ proposal is to be submitted to the Plaintiffs and the
6 Court Monitor by no later than **May 12, 2017**, and should cover the Defendants’ proposed
7 response to all three eventualities presented by the pending CMS review of Western State
8 Hospital (i.e., the facility is certified, the facility is not certified, or the certification process is
9 extended for a period of time).

10 Plaintiffs and the Court Monitor are ordered to submit their comments to Defendants by
11 no later than **May 19, 2017**.

12 By **June 2, 2017**, the parties are ordered to file with the Court their agreed-upon plans (as
13 outlined above) or a unified document representing their areas of agreement and their areas of
14 disagreement. (The Court Monitor may submit additional comments separately, as she sees fit.)

15 The plans will be discussed at the next status hearing, scheduled for **June 5, 2017, 9:00**
16 **a.m.**

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18 The clerk is ordered to provide copies of this order to all counsel.

19 Dated: April 19, 2017.

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22 Marsha J. Pechman
23 United States District Judge
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